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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


 Applicants : Konstanze SAATHOFF et al. )  
 Appln. No : 09/554,343 ) Group Art Unit: 3723  
 Filed : September 14, 1999 ) Examiner: D. Meislin  
 § 371 Date : December 6, 2000 ) Confirmation No.: 2211  
 For : MOTOR-DRIVEN SCREW DRIVER )

**PETITION UNDER 37 C.F.R. 1.181 TO REVIEW AND CORRECT  
THE DETERMINATION OF THE LENGTH OF PATENT TERM  
EXTENSION UNDER 37 C.F.R. 1.701**

Commissioner for Patents  
 U.S. Patent and Trademark Office  
 Customer Service Window, Mail Stop Issue Fee  
 Randolph Building  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

Applicants request correction of the Determination of Patent Term Extension under 35 U.S.C. § 154(b), which the U.S. Patent and Trademark Office has incorrectly calculated as fifty six (56) days. Pursuant to 37 C.F.R. 1.701(a)(3), Applicants request an extension of the patent term for the instant application, which was filed after June 8, 1995 and before May 29, 2000, in the amount of five hundred three (503) days for the delay in issuance of the patent due to Appellate review by the Board of Patent Appeals and Interferences. The instant application was issued pursuant to a decision reversing the Examiner's adverse decision of patentability and is not subject to a Terminal Disclaimer.

Applicants note that the requested extension of patent term was determined in accordance with 37 C.F.R. 1.701(b) from the sum of the periods calculated under paragraphs (c)(3) and (d). In particular, Applicants are entitled to an extension of

patent term that is the sum of the number of days that elapsed between the filing of the Notice of Appeal on August 29, 2002 and the decision of the Board of Patent Appeals and Interferences to reverse the Examiner's adverse decision of patentability on January 30, 2004, i.e., five hundred nineteen (519) days reduced by the number of days during the appellate review that occurred before three years from the filing of the first national application for patent presented for examination on September 14, 1999, i.e., sixteen (16) days.

Applicants submit that, as no fees are required by 37 C.F.R. 1.17 for the filing of this appeal, no fees are believed necessary to grant the extension in patent term to which the Applicant is entitled. However, should any fees be deemed necessary to ensure consideration of this petition, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 19-0089.

If there any questions with regard to this matter, please contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Konstanze SAATHOFF et al.



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September 8, 2005  
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